

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:06CV34-H**

HOME BUYERS WARRANTY CORPORATION, Petitioner, v. OLIVIA G. BLAIR, Respondent.	
--	--

**CONSENT ORDER COMPELLING ARBITRATION
AND STAYING STATE ACTION**

The Petition of Home Buyers Warranty Corporation (“HBW”) for an order compelling Respondent Olivia G. Blair to arbitrate was presented to this Court. Papers filed in support of the Petition were submitted by Cranfill, Sumner & Hartzog, LLP, counsel representing Petitioner. Papers consenting to the Petition were submitted by Gray, Layton, Kersh, Solomon, Sigmon, Furr & Smith, P.A., counsel representing Respondent.

On proof being made to the satisfaction of the Court that a written agreement to arbitrate in commerce exists between Petitioner and Respondent, that said agreement covers a lawsuit filed by Respondent against Petitioner in state court, that Respondent agrees to arbitrate pursuant to the parties’ arbitration agreement, and that good cause exists therefor;

1. IT IS HEREBY ORDERED that all claims alleged by Respondent Olivia G. Blair against Petitioner HBW in *Olivia G. Blair v. Robert J. Yatko, et al*, Gaston County Superior Court Case No. 05 CVS 4401, are directed to arbitration before Construction Arbitration Services, Inc. (hereafter “CAS”) pursuant to the CAS Rules for the Arbitration of Home Warranty Disputes; and

2. All proceedings against HBW only in *Olivia G. Blair v. Robert J. Yatko, et al*, Gaston County Superior Court Case No. 05 CVS 4401, are stayed pending conclusion of the arbitration ordered herein.

SO ORDERED.

Signed: April 10, 2006

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

